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C O N F I D E N T I A L SECTION 01 OF 03 BEIJING 003005

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E.O. 12958: DECL: 08/04/2033
TAGS: [PGOV](#) [PHUM](#) [SOCI](#) [KOLY](#) [CH](#)
SUBJECT: PETITIONERS' FRUSTRATION HIGHLIGHTS CENTRAL-LOCAL
RIVALRIES ON EVE OF OLYMPICS

REF: A. BEIJING 2839
[1](#)B. BEIJING 2592

Classified By: Political Minister Counselor Aubrey Carlson. Reasons
1.4 (b) and (d).

Summary -----

[1](#)1. (C) In response to several recent episodes of local unrest, the Chinese Government issued regulations July 24 threatening administrative punishment, including dismissal, for officials who fail to handle correctly citizens' petitions to higher levels of government to redress perceived injustices inflicted by lower-level officials. The regulations also include, for the first time, punishment for inappropriately using police to deal with public opposition to local government policies. Hong Kong media reports claim that the Central Government has instructed local authorities to prevent petitioners from coming to Beijing during the Olympics. A Beijing newspaper editor reports that his paper is getting numerous calls from would-be petitioners who have been sent home from Beijing or blocked from coming. Officials from the Ministry of Supervision claim that no such restrictions exist and that the State Letters and Complaints Bureau will remain open through the Olympics. These officials state however, that petitioners coming to Beijing is "not normal" and that complaints should be dealt with locally. Contacts say local officials may be motivated to cover up problems and block petitioners because of the enhanced prospect of punishment under the new regulations. End Summary.

New Regulations Punish Mishandling of Petitions -----

[1](#)2. (SBU) In the wake of several recent and highly publicized "mass incidents" blamed on the failure of local authorities to properly handle local disputes, including the Weng'an riots in Guizhou, the murder of six policemen in Shanghai, and a rubber plantation dispute in Yunnan (refs A-B), the Central Government issued regulations July 24 to "promote social harmony and stability." The regulations, issued jointly by the Ministry of Supervision, the Ministry of Human Resources and Social Security, and the State Letters and Complaints Bureau, spell out administrative punishments for officials who "violate rules for handling petitions" or who fail to protect the "legitimate rights and interests of petitioners." Disciplinary measures include "warning, serious demerit, demotion, removal from office, or dismissal," for officials at all levels. Articles 5-10 of the regulations provide detail about what "situations" would lead to discipline, including "simplistic and brutal" work style, "abuse of power," refusing to handle important petitions, cheating, fabricating information and actions that

lead to a "big social impact." Significantly, the new regulations list as causes for punishment, for the first time, "misusing police" and "using weapons in violations of regulations" when dealing with mass incidents. Several recent articles in the official media have criticized the use of police to enforce local government policy, claiming this practice is a key cause of social instability (ref B).

Petitioners Blocked from Coming to Beijing

13. (SBU) Authorities are stepping up efforts to keep petitioners out of Beijing during the Olympics. Hong Kong media claim that Beijing demanded that local governments stop petitioners from coming to Beijing starting on July 10 and extending through the Olympics. (Note: The summer Olympics run August 8-24; the Paralympics September 6-17.) The PRC-affiliated Hong Kong magazine Phoenix Weekly cited a retired judicial official, who was contracted by a local government to convince petitioners to return home, as saying that the Central Government ordered provincial governments to "reduce petitioning to a minimum" during the Olympics. The retiree claimed that local officials will do "whatever it takes" to stop petitioners during the Games and will use an "unprecedented amount of personnel" to accomplish the task.

14. (C) Wang Wen (protect), editor of the International Forum page of the People's Daily-owned Global Times (Huanqiu Shibao), told PolOff on July 31 that many people from the provinces expect that the Central Government will be "more open" during the Olympics and therefore feel that this is an opportune time to make their case. Wang said that the mood

BEIJING 00003005 002 OF 003

of the common people has soured in recent weeks, in part because of the inability to petition for redress. He reported that his newspaper has received numerous calls on the issue. One in particular, from an angry caller from Shijiazhuang, the capital of Hebei Province, said he and some others were blocked from traveling to Beijing and demanded to know if Global Times was willing to report on this story. Wang related that he confessed to the caller that the media is restricted from reporting on such issues.

Petitioners' Cautionary Tales

15. (C) PolOff spoke July 31 with Xu Meizhen (protect), a petitioner from Dazhou, Sichuan Province, who arrived in Beijing in March to seek compensation for a botched surgery she underwent in 2005. Xu said most petitioners have been forcibly sent back to their hometowns and the few who remain cannot find lodging. Xu said she had recently seen a group of (ethnic Han) petitioners from Xinjiang detained in Beijing and forced into a police vehicle that appeared to belong to the Xinjiang Public Security Bureau. "We must hide in one place one night and another place the next night," she said. Xu said she avoids arrest by dressing well so as not to "look like a poor petitioner." Hours prior to meeting PolOff, Xu said she received a call from Dazhou officials informing her that the hospital is willing to discuss a settlement if she returns to Sichuan. Xu, however, believes this is just a ruse to get her to leave Beijing.

16. (C) Xu said that during the Olympics she will avoid the State Letters and Complaints Bureau, which has become a trap for unwary petitioners. The office is open, Xu said, but those who enter the office are detained and then forcibly returned home. "You can go in, but you won't come out," she said. Sun Chuihua, the wife of Beijing-based democracy activist Liu Junhua, told PolOff July 31 that she went to the State Letters and Complaints Bureau July 24 to demand the Government pay for an operation to fix a leg injury Liu suffered several years ago. Sun said that after she handed in her petition security officers prevented her from leaving on her own, forced her into a car, and drove her back to her

Beijing apartment. Sun showed PolOff a form letter she received during the incident that said her petition would be forwarded to Beijing municipal authorities.

Ministry of Supervision Denies Restrictions

¶7. (C) Cai Wei and Zhou Congyuan, two officials in the Ministry of Supervision (MOS) Foreign Affairs Office, in a meeting with PolOffs on July 24 denied that there are restrictions on petitioners during the Olympics. Cai said that the MOS, which is the government agency that corresponds to the Communist Party's Central Discipline and Inspection Commission, has its own petition office dealing with complaints related to corruption, and this office, as well as the State Letters and Complaints Bureau, will remain open through the Olympics. In a follow-up conversation on August 1, Zhou said that official commentary connected to the July 24 regulations includes mention of restrictions on local officials' authority to block petitioners' efforts to report to higher levels, including to Beijing. (Note: An informal Embassy review of the regulations did not turn up a direct reference to the issue of preventing or blocking petitioners coming to Beijing. The regulations do state that censure is appropriate if a local leader conceals an "important or urgent petition," falsifies information, delays the reporting process, or instructs another person to do so.)

¶8. (C) MOS' Cai Wei commented that the phenomenon of petitioners traveling to Beijing is "not normal" and that the Central Government wants local officials to handle local matters locally. At a minimum, petitions must be reviewed locally before appeals are made directly to Beijing. Cai commented that some localities are holding open houses to allow local petitioners to take their complaints directly to local officials. Other localities have begun to use a sort of "mobile complaint office" that can travel through an area to hear complaints. Cai admitted that many problems exist, but said that the Chinese Government is trying to allow increased "popular supervision" of officials through the petition process.

Petition Issue Highlights Center-Local Tension

¶9. (C) Contacts say that the new petition regulations reflect

BEIJING 00003005 003 OF 003

tension between the Center and local governments. Wang Wen told PolOff that the tensest societal relationship in China is not between the people and the Government but between the Center and local governments. The main goal of President Hu's "harmonious society" policy is to rectify the Center-local relationship. Wang said that Hu's focus on social stability includes elements of coercive power, which local governments routinely employ, and an emphasis on effective and responsive government, which is harder for the locals to master. In this light, Wang said, local officials are very concerned about consequences should complaints about their performance reach the Center. He suggested that the new regulations, with more explicit punishments, may exacerbate the problem by increasing local officials' incentive to cover up problems.

¶10. (C) Jin Canrong, a Professor at Beijing's Renmin University, said that local governments have recently been given greater responsibility by the Center for maintaining social stability, but have not been given any more resources and are still expected to maintain high economic growth. Many development projects are bound to encounter popular opposition. Jin said there is a new popular saying in China that there are two good people and two bad people. The good people are Premier Wen Jiabao and President Hu Jintao and the bad people are the County Chief and the County Party Secretary. Jin commented that Wen and Hu have become very popular by showing concern for the common people, but the

people now mistakenly believe that bringing problems to Wen
or Hu's attention will guarantee a solution.
RANDT